

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF RESORT WATER CO. INC. FOR)	CASE NO. RES-W-04-1
ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY, FOR)	NOTICE OF MODIFIED
APPROVAL OF RATES AND CHARGES,)	PROCEDURE
AND FOR APPROVAL OF RULES AND)	
REGULATATION GOVERNING THE)	NOTICE OF COMMENT/
RENDERING OF WATER SERVICE)	PROTEST DEADLINE
)	
)	NOTICE OF WORKSHOP
)	
)	ORDER NO. 29690

On August 13, 2004, Resort Water filed an Application requesting issuance of a Certificate of Public Convenience and Necessity. The Company also requested approval of an increase in existing rates and charges for water service and approval of the Company's Rules and Regulations governing the rendering of water service. On September 1, 2004, the Commission issued a Notice of Application and Order No. 29575 which suspended the Company's proposed schedule of rates and charges for a period of five months from the proposed effective date of September 13, 2004. In this Order the Commission extends the suspension period for 30 days, to March 15, 2005, and orders the use of Modified Procedure with a public workshop on February 8, 2004. The comment/protest deadline is February 17, 2005, and the reply comment deadline is March 3, 2005.

NOTICE OF MODIFIED PROCEDURE

YOU ARE HEREBY NOTIFIED that the Commission has reviewed the filing of record in Case No. RES-W-04-1. The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

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YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or written comments are received within the deadline, the Commission will consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider them and may, in its discretion, set the matter for hearing or decide the matter and issue its Order on the basis of the written positions before it. IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that the Company's Application in Case No. RES-W-04-1 may be viewed online at www.puc.idaho.gov by clicking on "File Room" and "Water Cases," or it can be viewed during regular business hours at the offices of the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho.

NOTICE OF COMMENT/PROTEST DEADLINE

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in Case No. RES-W-04-1 **is February 17, 2005**. Persons desiring a hearing must specifically request a hearing in their written protests or comments.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. RES-W-04-1 should be mailed to the Commission and to Resort Water at the addresses reflected below.

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address For Express Mail:
472 W. Washington Street
Boise, ID 83702-5983

Dean J. Miller
McDevitt & Miller LLP
420 West Bannock Street
PO Box 2564-83701
Boise, ID 83702
E-mail: joe@mcdevitt-miller.com

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's homepage located at www.puc.idaho.gov. Click the "Comments and Questions"

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icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to Resort Water at the address listed above.

NOTICE OF WORKSHOP

YOU ARE HEREBY NOTIFIED that a public workshop will convene on **TUESDAY, FEBRUARY 8, 2005 at 2:00 P.M. at SCHWEITZER MOUNTAIN RESORT, SELKIRK LODGE - SELKIRK CONFERENCE ROOM, 10,000 SCHWEITZER MOUNTAIN ROAD, SANDPOINT, IDAHO.** The purpose of the workshop is for the Commission Staff to dispense information concerning Resort Water's Application and to receive written or oral comments from the public prior to the staff filing testimony or comments in the case.

YOU ARE FURTHER NOTIFIED that all workshops and hearings in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
E-Mail: secretary@puc.idaho.gov

YOU ARE FURTHER NOTIFIED that the Company's proposal to change its rates, charges, rules, and regulations governing the rendering of water service in this case is subject to the Commission's approval. The Commission may approve, reject, or modify the requested changes. The Commission may determine Resort Water's rates and charges in an amount other than proposed by the Company and/or the spread or allocation or relative increase or decrease in any rate or charge may be other than that proposed by the Company. The rates and charges of all customers of Resort Water in the State of Idaho are at issue and subject to change in this proceeding.

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YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and that the Commission may enter any final Order consistent with its authority under Title 61. All proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Resort Water Co., Inc., its Application for a Certificate of Public Convenience and Necessity, for Approval of Rates and Charges, and Rules and Regulations for Providing Water Service, and the issues involved in this case by virtue of Title 61, Idaho Code and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

The Commission has the authority under *Idaho Code* § 61-622 to suspend the rates and charges that are the subject of the Application for a period of thirty (30) days plus five (5) months from the proposed effective date of September 13, 2004. The effective date in this case was previously suspended for five months, and it is necessary to suspend the rates proposed in the Application for an additional 30 days, to March 15, 2005, in order to conduct a public workshop prior to the filing of comments.

ORDER


IT IS HERBY ORDERED that the proposed schedule of rates and charges for water service in Case No. RES-W-04-1 should be, and hereby is, suspended for an additional period of 30 days, to March 15, 2005, or until such earlier time as the Commission may issue an Order accepting, rejecting, or modifying the Application in this case. No change in the existing rates and charges is permitted without prior Commission approval.

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IT IS FURTHER ORDERED that this case be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure must do so no later than February 17, 2005. Additionally, any reply comments must be submitted no later than March 3, 2005.

IT IS FURTHER ORDERED that the Commission Staff should conduct a public workshop, as more fully set forth above, to dispense information concerning Resort Water's Application and to receive comments from the public prior to the staff filing comments in this case.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 19th day of January 2005.



PAUL KJELLANDER, PRESIDENT

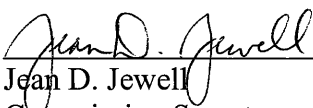


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:RESW0401_dw2

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